IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.427 of 2007

Smt Kamla Dayashankar Singh, .. Petitioner.
Vs
State of Maharshtra and ors .. Respondents.

Mr Prakash Naik, for the petitioner.
Smt U.V.Kejariwal, APP for respondent nos 1 and 2.
Mr Q.M.Ashar, for respondent nos 3 to 5.

CORAM : SMT.RANJANA DESAI & D.B.BHOSALE,JJ.
DATED : 21st MARCH, 2007

P.C.:

1. We have heard the learned counsel for the petitioner, learned APP for respondent nos 1 and 2 and the learned counsel for respondent nos 3 to 5.

2. Admittedly, the son of the petitioner has obtained loan from the third respondent. He has failed to repay the loan. We are informed by the learned counsel for the third respondent that as of today he owes Rs.3,61,00000/- to the third respondent. In this petition, the petitioner has prayed that the Senior Inspector of Police, Matunga Police Station, may be directed to register crime against the third respondent-Bank. The learned counsel for the petitioner states that the petitioner apprehends that the officer of the third respondent may oust the petitioner from the tenanted premises. We have no manner of doubt that the petitioner, instead of going to the civil court, is

trying to obtain stay order in this petition. In the circumstances of the case, we are unable to entertain this petition. No such relief can be granted in the writ petition. We feel that the son of the petitioner has put up the petitioner to stall the proceedings which are likely to be initiated against the petitioner's son and this is re-enforced by the fact that the petitioner's son is present in the court. The writ petition is dismissed.

(D.B.BHOSALE,J.) (SMT.RANJANA DESAI,J.)